

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
3 EASTERN DIVISION
4
5 ROOSEVELT PARKER,
6 Plaintiff,
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8 VERSUS CIVIL ACTION NO. 2:22-cv-45-HSO-BWR
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10 STATE FARM FIRE AND
11 CASUALTY COMPANY,
12 Defendant.

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20 VIDEOCONFERENCE DEPOSITION OF SCOTT BERBERICH

21
22 Taken via Zoom Videoconference Software, on
23 Tuesday, January 10, 2023, beginning at
24 1:00 p.m.
25

1 we've just discussed?

2 A. No.

3 Q. Are you employed with ATA Loss
4 Consulting? Are you a contractor? What's your
5 actual relationship with ATA?

6 A. Let's see. I'm still giving depositions,
7 but I -- since -- for the last several months,
8 I've been working with Pilot, and so I have --
9 I've done very little with ATA.

10 Q. Okay. Are you still receiving any
11 requests from ATA to do assignments?

12 A. To do what?

13 Q. To work on claims with ATA. Are you
14 still active with ATA? Do you work on claims?

15 A. A little bit.

16 Q. And you are able to do that at the same
17 time that you are working for Pilot?

18 A. Well, like I said, a little bit. No.
19 There's very little time to do anything else but
20 what I'm doing.

21 Q. Okay. And I asked you a question a
22 minute ago about your relationship with ATA, and
23 what I was trying to figure out is if you were a
24 W-2 employee or a 1099 contractor.

25 A. 1099.

1 Q. I'm sorry. I cut you off. You said
2 1099, right?

3 A. Correct.

4 Q. Okay. Do you have a written contract
5 with ATA Loss Consulting?

6 A. I think there's an NDA, maybe, but I
7 think that's the only contract.

8 Q. There's not another --

9 A. There's no salary. It's simply hourly.

10 Q. Okay. And you are getting to my next
11 question. How are you compensated by ATA? And I
12 believe you just said on an hourly basis; is that
13 correct?

14 A. Correct.

15 Q. And how much are you paid an hour?

16 A. I'm paid \$70 an hour.

17 Q. Is that 7-0?

18 A. Yes.

19 Q. Do you have any ownership interest in
20 ATA?

21 A. You said ownership?

22 Q. Yes.

23 A. No, I don't.

24 Q. And if I understand, your title with ATA
25 is a senior loss consultant; is that correct?